



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 500
DENVER, CO 80202-2466

UTD 982590002
1161504 - R8 SDMS

MAR - 8 1999

Ref: 8ENF-T

CERTIFIED LETTER
RETURN RECEIPT REQUESTED

Mr. Glen Rogers, Chairman
Shivwits Band of Paiute Indian Tribe
Post Office Box 448
Santa Clara, UT 84765

Re: Update on the RCRA and NPDES Program
Inspection Conducted on Shivwits Band
of the Paiute Reservation

Dear Chairman Rogers:

EPA would first like to thank you for the cooperation extended by you and the members of the Shivwits Band Council to our inspectors during the joint RCRA and NPDES inspection at the OMG Apex, Inc. facility and the HECLA wastepile and pond, located within the Paiute Indian Reservation. This letter is intended to give you an update of EPA's activities to assess compliance concerns identified during the joint inspection, conducted November 16 through November 18, 1998.

EPA has obtained additional information from both OMG Apex and HECLA. Copies of the EPA letters requesting this information, dated November 23, 1998, January 15, 1999, and January 25, 1999, are enclosed. Copies of OMG-Apex's response letters are also enclosed. The response from HECLA is quite extensive; if you would like a copy of the HECLA response, please telephone Linda Jacobson to make this request. This additional information will allow EPA to better assess the compliance and regulatory status of these two sites.

Ms. Charlotte Domingo, your Environmental Coordinator, participated in a portion of this inspection. As Ms. Domingo witnessed, EPA collected samples from both the HECLA pond and the OMG Apex facility. We do not yet have our sample results from our EPA laboratory. Our laboratory was flooded during December 1998 due to the breakage of frozen water pipes. Upon receipt of the sampling results, our inspectors will complete the inspection report and provide you a copy of the report, sampling results, and photographs taken during the inspection.



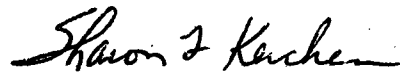
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Depending on the evaluation of the sampling results and the information submitted, EPA may need to conduct additional site sampling. Internal assessment of EPA options to address the compliance concerns noted during the inspection, reflected in the sampling results, or stemming from the information review will be performed and appropriate follow up conducted.

If you have any questions regarding this letter or the enclosures, please contact Linda Jacobson at (303) 312-6503 for RCRA questions or Donna Inman at (303) 312-6201 for NPDES questions. I look forward to future collaborations with the Tribe to protect human health and the environment on the Paiute Indian Reservation.

Sincerely,



Sharon Kercher, Director
Technical Enforcement Program

Enclosures

cc: w/o Enclosures

Charlotte Domingo
Environmental Coordinator
Paiute Tribe of Utah

Flossie Girty
Field Representative
Bureau of Indian Affairs

Pat Brewer
Realty Officer
Bureau of Indian Affairs

Efie Delmar
Field Coordinator
Bureau of Indian Affairs

WHERE TO CALL FOR MORE INFORMATION

EPA General Information Number

800-227-8917

303-312-6312

RCRA (Hazardous Waste)

GENERAL INFORMATION

LINDA JACOBSON

303-312-6503

JANICE PEARSON

303-312-6354

USED OIL

RANDY LAMDIN

303-312-6350

STATE OF UTAH

ALLAN MOORE

801-538-6170

TSCA (PCBs)

KIM LE

303-312-6973

DAN BENCH

303-312-6027

NPDES (Wastewater)

GENERAL INFORMATION

DONNA INMAN

303-312-6201

PRETREATMENT

BRUCE KENT

303-312-6133

PERMIT APPLICATIONS

BRUCE KENT

303-312-6133

STORM WATER

VERN BERRY

303-312-6234

SLUDGE

BOB BROBST

303-312-6129

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